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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR-11-00214-EJD
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER TO CONTINUE SENTENCING
vs.)	HEARING TO JULY 1, 2013, at 1:30 p.m.
)	
IRINEO ALVAREZ-CHAVEZ,)	
)	
Defendant.)	
)	

STIPULATION

The parties, Irineo Alvarez-Chavez and the government, acting through their respective counsel and subject to the Court's approval, stipulate that the hearing date currently set for May 6, 2013, be vacated and that the Court set a new hearing date of July 1, 2013, at 1:30 p.m. The parties further agree and stipulate that the Court extend the briefing schedule for supplemental points and authorities the court requested from May 1, 2013, to June 1, 2013. The reason for the continuance of the sentencing hearing is as follows.

The defendant is facing a violation of supervised release in the District of Arizona, based on his 2007, conviction for a violation of Title 8, United States Code, Section 1326, in case numbered 07CR00379-PHX-NVW. PSR ¶ 28. Defense counsel spoke to Assistant United

1 States Attorney James R. Knapp, of the District of Arizona, and Mr. Knapp does not oppose the
 2 transfer of supervision and the resolution of the violation in the Northern District of California.
 3 Defense counsel has also spoken to United States Probation Officer Daniel Prather, District of
 4 Arizona, who informed counsel that he will initiate the Form 22, process. Officer Prather
 5 informed defense counsel that transfer of supervision and disposition of the Supervised Release
 6 violation will need to be approved by United States District Court Judge Neil V. Wake.
 7 Consolidation of the current case before this court and the supervision violation from the District
 8 of Arizona will conserve valuable judicial resources which include transportation costs which
 9 would be needed to transport Mr. Alvarez-Chavez to Phoenix, Arizona, judicial time, and
 10 attorney expenses. For these reasons, the parties request that the Court continue the sentencing
 11 hearing to July 1, 2013.

12 Defense counsel has conferred with United States Probation Officer Benjamin Flores,
 13 and he does not object to the continuance nor the date of July 1, 2013.

14 Dated: April 29, 2013

STEVEN G. KALAR
 FEDERAL PUBLIC DEFENDER

15 _____
 16 /s/
 17 Manuel U. Araujo,
 Assistant Federal Public Defender

18 Dated: April 29, 2013

MALINDA HAAG
 UNITED STATES ATTORNEY

19 _____
 20 /s/
 21 Meredith J. Edwards,
 Special Assistant United States Attorney

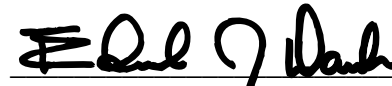
~~PROPOSED~~ ORDER

GOOD CAUSE APPEARING, and by stipulation of the parties, IT IS HEREBY ORDERED that the sentencing hearing in the above-captioned matter is continued from May 6, 2013, at 1:30 p.m., to July 1, 2013, at 1:30 p.m.

IT IS FURTHER ORDERED that the supplemental briefing ordered by the court on April 15, 2013, is extended from May 1, 2013, to June 1, 2013.

IT IS SO ORDERED.

Dated: 4/30/, 2013



HONORABLE EDWARD J. DAVILA
United States District Judge